

COMPLAINT NUMBER	17/141
COMPLAINANT	S Auckland
ADVERTISER	Early Settler
ADVERTISEMENT	Early Settler Addressed Mail
DATE OF MEETING	17 May 2017
OUTCOME	Settled

Advertisement: The email advertisement for the Early Settler Autumn sale showed various products with discounted prices - "Up to 50% off while stocks last."

The Chair ruled the complaint was Settled.

Complainant, S Auckland, said: In January, 2017 enquired about the Maison vanity shown the attached email advertisement. I was originally told that Early Settler wouldn't be able to supply until end of April, in which I was happy to wait. Early Settler then emailed me to say that it would actually be the end of June or beginning of July. I asked them over the phone if I could buy the floor models. I was interested in the single and double vanity and they had both of these in their showroom. I was told that it wasn't their policy to sell floor models. Today, I was surprised to find an email dated 28, April, 2017 with the subject "Up to 50% off While Stocks Last" One of the vanities I enquired about last January was being advertised in this sale. I immediately figured that their first estimate of the late April arrival had happened. I have just visited the Wairau showroom again and found there was a SOLD sticker on the double vanity. I enquired at the counter to see if these two vanities were back in stock and was told that they would be arriving late June at the earliest. I feel that to receive an email stating "save up to 50% while stocks last" implies that there is actual stock in New Zealand or the lead time in less than two months away.

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 2.

The Chair noted the Complainant's concerns that advertising products that were not available to buy was misleading.

The Advertiser acknowledged the concerns raised and responded to the Secretariat to explain the human error and processing mistakes made. They detailed the implementation of more robust internal editing/checking procedures for advertisements and the inclusion of a delivery date for each product. They explained that the staff member involved has received additional training about the sale of floor model products.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in implementing new procedures in the future, the Chair said that it would serve no further purpose to place the matter before the Complaints Board. The Chair ruled that the matter was settled.

Chair's Ruling: Complaint **Settled**